



## IX. PROJECT REVIEW AND APPROVAL PROCESS

### A. Architecture and Site Approval

Architecture and site approval is required for all new construction including major additions and remodels in all areas of the Town shown on the Hillside Area Map on page 8. A subdivision or Planned Development application is required for any proposed land division.

The flow chart on page 66 outlines the steps an application for architecture and site approval will go through. The process begins with a preapplication meeting with the Community Development Department. It is highly recommended that applicants considering the design of a new home or remodel of an existing home take advantage of the preapplication meeting to discuss their ideas with Town staff **before** any plans are actually drawn and money and time are expended on a project that may not be entirely feasible.

An application for architecture and site approval or subdivision shall be accompanied by a written letter of justification that describes how the proposed project complies with the General Plan, Hillside Specific Plan and the Hillside Development Standards and Guidelines.

### B. Project Approval Authority

Projects may be approved by the Planning Commission, Development Review Committee (DRC), or Director of Community Development (Director) depending on a project's potential impact on surrounding properties and the overall community.

The Planning Commission is the decision making body for projects that have the greatest potential impact, while the DRC and Director make decisions on projects with less impact, as described in Subsections D, E, and F below. For projects that fall within the Planning Commission's decision making authority, the DRC shall first review the project and provide its recommendation to the Commission.



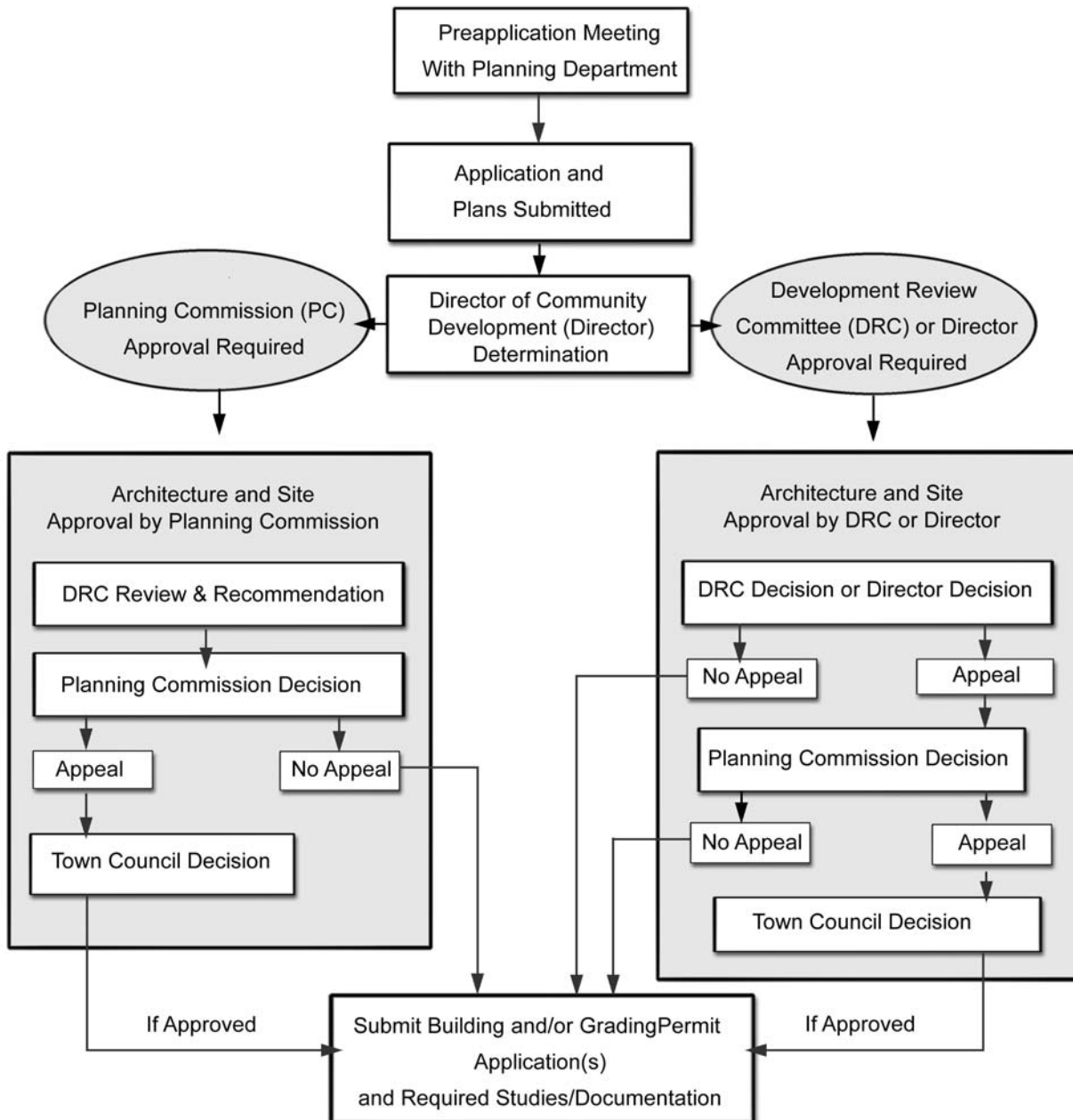
The subdivision and architecture and site approval processes are discretionary actions on the part of all decision making bodies. When reviewing projects, the decision making body may:

- (1) approve a project without imposing extra or special conditions;
- (2) approve a project and add special conditions to reduce the impact(s) of the project to an acceptable level and/or achieve compliance with these standards and guidelines; or
- (3) deny the project by stating specific reasons for its action.

The Director of Community Development may refer an application to the Planning Commission. The decisions of the Planning Commission, DRC, and Director are final unless appealed. Decisions of the Director and DRC may be appealed to the Planning Commission and decisions of the Planning Commission may be appealed to the Town Council. Appeal procedures are outlined in the Town's Zoning Regulations.



## Architecture and Site Review Process





## **1. Projects That May be Approved by the Director of Community Development**

The Director has the authority to review and approve the following types of projects provided they comply with all development standards and guidelines:

- a. Additions to houses that do not exceed 20% of the existing floor area of the house or 800 square feet of gross floor area, whichever is less. \*
- b. Accessory structures not requiring a conditional use permit that have a gross floor area less than 600 square feet.
- c. Swimming pools that do not require a grading permit.

## **2. Projects That May be Approved by the Development Review Committee**

The Development Review Committee (DRC) has the authority to review and approve the following types of projects provided they comply with all development standards and guidelines:

- a. New houses that do not exceed 5,000 square feet in gross floor area and that are not visible from any established viewing platform.
- b. Additions over 800 square feet or greater than 20% of existing floor area provided that the house size will not exceed 5,000 square feet with the addition(s).
- c. Accessory structures, except those requiring a conditional use permit that have a gross floor area of 600 square feet or more but do not exceed 1,000 square feet in gross floor area.
- d. Swimming pools and game courts requiring a grading permit and/or retaining walls.
- e. Grading permits.

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\* Additions of 500 square feet or greater require a review by the Santa Clara County Fire Department and may require geotechnical review.

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### **3. Projects That Require Planning Commission Approval**

The Planning Commission has the authority to approve all architecture and site projects that do not fall within the authority of the DRC or Director and any projects referred to it by the DRC or Director. The Planning Commission shall be the review authority for any residential project greater than 5,000 square feet in gross floor area. The Planning Commission approves standards subdivisions and makes recommendations to the Town Council on Planned Development applications.

#### **C. Application Period of Validity**

An approved architecture and site application shall be valid for a period of time specified in the Town's Zoning Regulations.

#### **D. Subsequent Applications**

Following approval of the original architecture and site review application, no subsequent applications for architecture and site approval shall be filed for the same property for a period of three years following final inspection and issuance of an occupancy permit.

#### **E. Required findings**

In addition to the considerations for architecture and site approval provided in the Town's Zoning Regulations, the decision making body shall also find that the proposed project meets or exceeds the objectives and requirements of the Hillside Development Standards and Guidelines and shall provide supportive evidence to justify making such findings.

#### **F. Exceptions**

Exceptions from the standards in this document may only be granted after carefully considering the constraints of the site. Any deviation from the standards contained in this document shall include the rationale and evidence to support the deviation. The burden of proof shall be on the applicant to show that there are compelling reasons for granting the requested deviation.

**Major exceptions** may only be granted by the Town Council or Planning Commission. Major exceptions include the following:

- a. building height
- b. maximum floor area



## X. GLOSSARY

For the purposes of these Hillside Development Standards and Guidelines, the following words and phrases defined in this section shall apply.

**Access road.** A vehicular access roadway greater than or equal to 20 feet in width and serving more than two single family dwellings.

**Accessory structure.** A detached structure the use of which is incidental to an allowed use of the property but which is not designed, constructed, or used for living quarters. Accessory structures include garages, equipment sheds, barns, decks, fences, and similar nonhabitable structures.

**Attic.** Use definition in Attic Policy adopted under Council Resolution 2002-167, or as may be amended.

**Average slope.** The rate of vertical change of ground surface averaged over the site and expressed in percentage or degrees. Average slope is calculated as follows:

$$S = \frac{.00229 IL}{A}$$

Where:

.00229 is the conversion factor for square feet;

I = contour interval in feet;

L = combined length of all contour lines within the parcel;

A = area of parcel in gross acres.

**Balance.** The cutting and filling of a site which does not require the export or import of earth material.

**Barn.** A building designed for the storage of farm products or feed and/or for the housing of farm animals or farm equipment. To qualify for an exclusion from FAR a barn may not be habitable floor area.

**Basement.** Partially below grade floor area that does not qualify as a cellar.

**Cellar.** Use definition in Cellar Policy adopted under Council Resolution 2002-167, or as may be amended.

**Contour.** A line drawn on a plan which connects all points of equal elevation.



**Contour grading.** A grading concept designed to result in earth forms which resemble natural terrain characteristics. Horizontal and vertical curve variations are often used for slope banks. Contour grading does not necessarily minimize the amount of cut and fill occurring.

**Cut.** The mechanical removal of earth material.

**Cut and fill.** The excavating of earth material in one place and depositing of it as fill in an adjacent place.

**Cut-off standards.** A standard of light emission wherein light rays emanating from a source are shielded, reflected, or refracted at angles that direct and cut off the light at an angle less than 90 degrees.

**Defensible space.** Established areas where vegetation is planned and/or maintained to reduce fuel load to minimize a structure's exposure to wildfire.

**Density.** Applying to residential developments, density refers to the number of people living in a certain area, generally expressed in terms of the number of housing units per acre.

**Driveway.** A vehicular access road less than 20 feet wide and serving not more than two single family dwellings.

**DRC.** Development Review Committee (DRC).

**Effective bulk.** The effective visual bulk of a building when seen from a distance either from above or below.

**Emergency Accessway.** An approved secondary access roadway for the exclusive use of fire department apparatus.

**Erosion.** The process by which the soil and rock components of the earth's crust are worn away and removed from one place to another by natural forces such as wind and water.

**Export.** Excess earth material that is removed from a grading project and deposited off-site.

**Fill.** A deposit of earth material placed by artificial means.

**Finish grade.** The final elevation of the ground surface after development, which is in conformance with the approved plan.

**Floor area, gross.** The sum of all enclosed or covered areas of a building measured to the exterior faces of the enclosing walls, columns or posts, but excluding the following:

- A. Areas permanently open to the sky.
- B. Exterior areas under roof eaves, trellises, porches or cantilevered overhangs.



- C. Attics.
- D. Cellars.
- E. Garages up to 400 square feet.
- F. Elevators and stairwells above the first floor.
- G. Barns and stables.

**Floor area ratio (FAR).** The gross floor area of a building or buildings on a lot divided by the area of the lot. The allowed floor area ratio is a numerical guide, not a goal, and may not be able to be achieved on every lot.

**Grading.** To bring an existing surface to a designed form by excavating, filling, or smoothing operations (Refer to the Town's Grading Ordinance).

**Hardscape.** All artificially produced impervious surfaces such as concrete, asphalt, pools, sport courts, and wooden decks.

**Hillside lot.** A parcel of land that is shown on the Hillside Area map (page 8) regardless of zoning district.

**Intensity of development.** The amount of development that may be placed on a site as governed by building square footage and envelope criteria, such as floor area ratio, setbacks, height, lot coverage, etc. Also see "slope density formula."

**LRDA (Least Restricted Development Area).** Least restricted areas on a property where development would have a minimal impact on the natural landscape and environment.

**Manmade slope.** A manufactured slope consisting wholly or partially of either cut or filled material.

**Minimal grading.** A grading concept designed to minimize excavation and filling. Allows the movement of earth for projects such as individual building foundations, driveways, local roads, and utility excavation. The concept is associated with roads conforming closely to natural contours and with buildings being built on natural terrain.

**Natural slope.** A slope that is not manmade.

**Net lot area.** The area of a lot exclusive of rights-of-way or ingress-egress easements for public or private use.

**Ornamental landscaping.** Exotic, non-indigenous, non-naturalized plant materials.

**Pad.** A level area created by grading to accommodate development.





**Remodel.** An improvement or alteration to the exterior or interior of a building that requires a building permit.

**Ridgeline.** A line connecting the highest points along a ridge and separating drainage basins or small-scale drainage systems from one another.

**Riparian corridor.** An area comprised of habitat strongly influenced and delineated by the presence of perennial or intermittent streams.

**Scar.** A visible cut in a hillside with a slope greater than 1 1/2:1 in which all topsoil has been removed and vegetation will be unable to establish itself after a significant period of time (five years).

**Site Analysis.** A process where a homeowner meets with staff before development plans have progressed substantially to discuss potential site constraints, conceptual plans, design considerations, neighborhood compatibility, and general standards and guidelines in designing a home.

**Slope.** An inclined ground surface, the inclination of which is expressed as a ratio of the vertical distance (rise), or change in elevation, to the horizontal distance run. The percent of any given slope is determined by dividing the rise by the run, multiplied by one hundred.

**Slope density formula.** The size of lots allowed in a new subdivision based on a formula that increases the minimum lot size allowed as the slope of the site increases. Also see "Intensity of development."

**Slope transition.** The area where a slope bank meets the natural terrain or a level graded area either vertically or horizontally.

**Stable.** A building with stalls or compartments in which domestic animals are sheltered and fed.

**Viewing platforms.** Specific locations on the valley floor or surrounding hillsides selected as vantage points from which field observations are made to assess the visual impact of development within the Town's hillside areas.

**Visible home.** A single family residence where 25% or more of an elevation can be seen from any of the Town's established viewing platforms (see Chapter II, section B).



## Appendix A

### Recommended Native Trees for Hillside Areas

#### Chaparral and Oak Woodland Habitats

Quercus agrifolia	Coast Live Oak
Quercus lobata	Valley Oak*
Quercus kelloggii	Black Oak*
Quercus douglasii	Blue Oak*
Arbutus menziesii	Madrone
Aesculus californica	California Buckeye*
Quercus chrysolepis	Canyon Live Oak

Refer to the  
SCVWD  
Prohibited  
Plant List

#### Riparian habitats

Umbellularia californica	California Bay or Laurel
Acer macrophyllum	Big Leaf Maple*
Alnus rhombifolia	White Alder*
Platanus racemosa	Sycamore*
Populus fremontii	Fremont poplar*

\*deciduous

### Recommended Native Shrubs and Small Trees for Hillside Areas

#### Chaparral & Oak Woodland Habitats

Prunus ilicifolia	Wild Cherry
Heteromeles arbutifolia	Toyon
Arctostaphylos species	Manzanita
Ceanothus species	Wild Lilac
Rhamnus californica	California Coffee Berry
Quercus dumosa	California Scrub Oak
Cercocarpus betuloides	California Mountain Mahogany
Cercis occidentalis	Western redbud
Fremontodendron	Flannel bush
Garrya elliptica	Coast silktassel



### **Riparian Habitats**

Gaultheria shallon	Salal
Mahonia pinnata	California Holly Grape
Myrica californica	Pacific wax myrtle
Ribes aureum	Golden currant
Ribes sanguineum	Pink winter currant

## **Recommended Native Groundcovers, Low Growing Shrubs, and Perennials**

### **Chaparral and Oak Woodland Habitats**

Achillea millefolium	Common yarrow
Arctostaphylos species	(low-growing species or cultivars)
Ceanothus gloriosus	(and other low-growing Ceanothus species)

### **Riparian Habitats**

Mahonia repens	Creeping Mahonia
Ferns:	
• Adiantum aleuticum	Five-finger fern
• Blechnum spicant	Deer fern
• Dryopteris expansa	Spreading wood fern
• Polystichum munitum	Sword fern
Aquilegia Formosa	Western columbine
Iris	Pacific Coast hybrids
Asarum caudatum	Wild ginger

## **Plants to avoid due to fire hazard**

Acacia (most species)  
Conifers (most, especially pine, Pinus species - particularly P. radiata, Monterey pine).  
Incense cedar (Calocedrus decurrens).  
Junipers (Juniperus species, particularly tall-growing types)  
Eriogonum species      Wild buckwheat  
Eucalyptus (most species, definitely E. globulus)  
Greasewood (also called chamise), Adenostoma fasciculatum  
Hall's honeysuckle (Lonicera japonica "Halliana")  
Species with shedding bark and heavy litter drop (e.g., Eucalyptus species)



## Appendix B

### Green Building Strategies and Materials

The examples listed below represent a limited sample of currently available green building strategies and materials. Additional resources are listed at the end of this section. Some of the following techniques may be applicable to more than one category although they are listed only once.

If a strategy is marked with an asterisk\* it indicates that it is available at low or no cost.

#### **1. Design strategies that maximize the use of renewable energy resources for heating, cooling and lighting.**

##### a. Passive Solar Heating

- \* Orient the house on an east-west access.
- \* Locate the most used living areas on the south side of the house.
- \* Locate the majority of windows on the south elevation, limit windows on the west elevation; do not block morning/east sun exposure.

##### b. Natural Cooling/Ventilation

- \* Orient the house to capture prevailing summer winds.
- \* Locate inlet windows upwind and outlet windows downwind.
- \* Place inlet windows low and outlet windows high to achieve a "chimney effect".
- \* Install double or triple paned, low emission windows.
- \* Install a whole-house fan.
- Provide overhangs or awnings on south facing windows.
- \* Plant deciduous trees to shade west facing glass in summer but allow for sun in winter.
- Fit or lower building into the grade to reduce wall exposure.

##### c. Natural Daylight

- \* Locate windows and design floor plans to provide daylight in all living spaces.
- \* Use narrow floor plates (30-40 feet) to maximize daylight.
- Install solar tubes, skylight, and fiberoptics daylighting systems.



## **2. Strategies that conserve energy and water.**

- Install photovoltaic panels or shingles to reduce utility consumption by at least 25%.
- \* Install thermal glazing.
- \* Install wall/roof/floor insulation above Title 24 required R-values.
- \* Install foundation insulation.
- \* Install high efficiency heating (AFUE 90% or better) and cooling (SEER 12) systems.
- \* Install at source or tankless water heaters.
- \* Install lighting controls (occupant sensors, timers).
- \* Install high efficiency lights.
- \* Install high efficiency appliances (for example, energy star appliances).
- Install solar hot water heaters.
- \* Install ceiling fans.
- Install hydroponic heating.
- Install thermo-syphoning roof.
- Install geothermal air tubes.
- \* Design and install water efficient landscaping and irrigation.
- \* Use locally produced products and products that require minimal processing.

## **3. Strategies for building materials. Use materials that reduce the consumption of nonrenewable resources and that improve air quality.**

### **a. Structural frame materials that reduce resource use.**

- \* Use concrete with a minimum of 25% fly ash content.
- \* Use engineered lumber for structural materials instead of conventional lumber (e.g. gluelam, microlam, laminated veneer lumber, wood "I" joists, oriented strand board or parallel strand lumber).
- Use recycled content steel.
- Specify pier foundation (uses less concrete).

### **b. Use renewable, salvaged and recycled materials.**

- Utilize materials from rapidly renewable sources. A few examples are Forest Certified Council (FSC) certified wood, natural linoleum, bamboo flooring, cork.
- Use salvaged or reused materials.
- \* Use building products from recycled materials (e.g. carpet, carpet padding, decking).
- Specify insulation that, at a minimum, is made from recycled materials and is formaldehyde free.
- Consider using blown cellulose with low toxic binders.



- c. Use non-toxic materials and finishes (improves air quality).
  - \* Use urea-formaldehyde free materials (e.g. All Green or Medite medium density fiberboard).
  - \* Use low/no volatile organic compounds (VOC) and formaldehyde free interior paint, solvents and adhesives, caulking and finishes.
  - \* Avoid materials that offgas VOC's or HCFC's.
  - Consider using geothermal air tubes.

## **Additional Resources**

The sources listed below are periodically updated to present the most current advances in green building technology and materials.

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| ○ Environmental Building News            | <a href="http://www.buildinggreen.com">www.buildinggreen.com</a> |
| ○ US Green Building Council              | <a href="http://www.usgbc.org">www.usgbc.org</a>                 |
| ○ National Association of Home Builders  | <a href="http://www.nahb.org">www.nahb.org</a>                   |
| ○ Green Building Alliance                | <a href="http://www.gbapgh.org">www.gbapgh.org</a>               |
| ○ Rocky Mountain Institute               | <a href="http://www.rmi.org">www.rmi.org</a>                     |
| ○ Sustainable Building Industry Council  | <a href="http://www.sbicouncil.org">www.sbicouncil.org</a>       |
| ○ Southface                              | <a href="http://www.southface.org">www.southface.org</a>         |
| ○ Technical Center for Appropriate Tech  | <a href="http://www.ncat.org/reh">www.ncat.org/reh</a>           |
| ○ California Integrated Waste Management | <a href="http://www.stopwaste.org">www.stopwaste.org</a>         |